

REMARKS

In an Office Action mailed on April 21, 2006, claims 1, 2, 10, 45 and 47 were rejected under 35 U.S.C. § 102(b) as being anticipated by Bode; claims 70, 72 and 73 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bode; claims 4-6, 46, 64 and 71 were objected to as being dependent upon rejected base claims but were indicated as being allowable if rewritten in independent form; claims 17-21, 48-51, 61-63, 65-69 and 74-78 were allowed; and an objection was made to claim 1.

Claim 1 has been amended to recite running a tool into an uncased interval of the well to overcome the corresponding objection. Additionally, claim 1 has been amended to incorporate the limitations of claim 64. For at least the reason that the Examiner indicated that claim 64 was allowable if rewritten in independent form, allowance of claims 1, 2, 4-6 and 10 is requested.

The system of independent claim 45 has been amended to recite that the tool is adapted to be actuated to perform a function other than lining the wellbore.

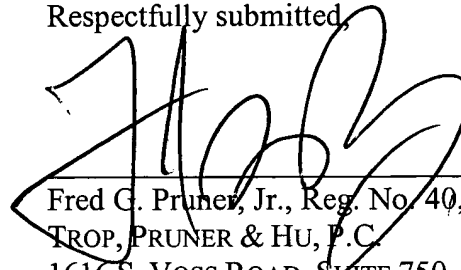
Contrary to the limitations of amended independent claim 45, Bode discloses a casing 14, which the Examiner labels as the alleged tool of claim 45. However, there is no teaching or even a suggestion in Bode that the casing 14 is either actuated or actuated to perform a function other than lining the surrounding wellbore. As such, Applicant submits that claim 45, as amended, overcomes the § 102 rejection in view of Bode. Claim 47 is patentable and thus, overcomes the § 102 rejection, for at least the reason that this claim depends from an allowable claim.

The method of independent claim 70, as amended, recites actuating a tool after the fixing of the tool to the well with a fixing agent. Thus, the casing 14 of Bode cannot be considered the tool of independent claim 70 for at least the reason that the casing 14 is not actuated after the setting of the casing 14 in the cement. Thus, Applicant submits that claims 70, 72 and 73 overcome the § 103 rejections.

CONCLUSION

In view of the foregoing, withdrawal of the §§ 102 and 103 rejections and a favorable action in the form of a Notice of Allowance are requested. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 20-1504 (SHL.0240US).

Respectfully submitted,

A large, stylized handwritten signature in black ink, appearing to read 'Fred C. Pruner, Jr.', is written over a horizontal line.

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